

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

EDUCATIONAL RIGHTS HOLDER ON  
BEHALF OF STUDENT,

v.

LANCASTER SCHOOL DISTRICT.

OAH CASE NO. 2013040873

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On April 19, 2013, The Educational rights holder on behalf of Student (Student) filed with the Office of Administrative Hearings (OAH) a Due Process Hearing Request (complaint), naming the Lancaster School District (District) and the Antelope Valley SELPA (SELPA) as respondents. On May 31, 2013, Student filed with OAH a motion for leave to file an amended complaint which names the Lancaster School District as sole respondent. On June 3, 2013, both parties filed with OAH a stipulation authorizing the filing of the amended complaint.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).) Here, the responding party consents to the filing of the amended complaint. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: June 04, 2013

/s/

ROBERT HELFAND

Administrative Law Judge

Office of Administrative Hearings